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COMMITTEE SUBSTITUTE REPORT

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Senate Committee on Communication and Public Utilities

S 0140 **GENERAL BILL/CS/CS/2ND ENG by Communication and Public Utilities; Comprehensive Planning; Argenziano; Cowin; Constantine; (CO-SPONSORS) Lynn (Compare H 0129, H 0963, 2ND ENG/H 1459, S 0998, S 1060)

Utilities; (THIS BILL COMBINES S140,998,1060) provides applicability of provisions re ownership & operation of utilities by entities composed of municipalities & counties; prescribes powers of counties & specified municipalities re acquisition of water utilities & wastewater utilities by separate legal entities composed of municipalities & counties, etc. Amends 163.01, 120.52, 367.021,.071. Effective Date: Upon becoming law except as otherwise provided.

06/30/03 Signed by Officers and presented to Governor

07/15/03 Vetoed by Governor

07/21/03 SENATE Veto Message received, referred to Rules and Calendar (2003 Special Session C) -SJ 00023

H 0129 GENERAL BILL by Attkisson; (CO-SPONSORS) D. Davis; Quinones (CS by Local Government & Veterans' Affairs) (Similar H 0963, Compare 2ND ENG/H 1459, CS/CS/2ND ENG/S 0140, S 0998)

Interlocal Cooperation Act of 1969; provides procedures for approval of transfer of powers between local governments & legal entity for acquisition of water or wastewater facilities serving residents outside jurisdiction of members of legal entity; provides for alternative compliance with s. 4, Art. VIII of State Constitution; declares legal entity government authority under certain circumstances; provides for retroactive application, etc. Amends 163.01, 367.081. Effective Date: Upon becoming law.

04/23/03 HOUSE Pending review of CS under Rule 6.3(b)

04/25/03 HOUSE Now in Natural Resources -HJ 00463

05/02/03 HOUSE Died in Committee on Natural Resources

H 0963 GENERAL BILL by Russell; (CO-SPONSORS) Littlefield; Rivera (Similar H 0129, Compare 2ND ENG/H 1459, CS/CS/2ND ENG/S 0140, S 0998)

Interlocal Cooperation Act of 1969; requires notification of host government if separate legal entity seeks to acquire public facilities serving populations outside jurisdiction of members of separate legal entity; provides for host government to respond within specified period; provides that host government may not prohibit such acquisition if it fails to respond within specified period; provides certain limitations; provides for retroactive application, etc. Amends 163.01. Effective Date: Upon becoming law.

05/02/03 HOUSE Placed on Special Order Calendar; Substituted CS/CS/SB 140 (Vetoed by Governor); Laid on Table -HJ 01063

H 1459 GENERAL BILL/2ND ENG by Machek (Compare H 0113, H 0129, 1ST ENG/H 0435, H 0963, H 1005, H 1069, 1ST ENG/H 1363, H 1769, H 1799,

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**ASTERISK INDICATES LEAD BILL ON TIED BILLS

Senate Committee on Communication and Public Utilities (Continued)

H 1459 (Continued)

CS/CS/2ND ENG/S 0140, S 0662, S 0998, S 1060, CS/2ND ENG/S 1164, CS/CS/1ST ENG/S 1312, CS/S 2316, CS/S 2758)

Water Resources; provides for development of water conservation guidance manual by DEP; authorizes WMDs to require use of reclaimed water in lieu of surface or groundwater when use of uncommitted reclaimed water is environmentally, economically, & technically feasible; provides applicability of provisions re ownership & operation of utilities by entities composed of municipalities & counties, etc. Amends FS. Effective Date: Upon becoming law except as otherwise provided.

04/29/03 HOUSE Ordered engrossed -HJ 00799

05/01/03 HOUSE Temporarily postponed, on Third Reading -HJ 00998

05/02/03 HOUSE Died on Calendar

S 0998 GENERAL BILL by Cowin; (CO-SPONSORS) Fasano (Compare H 0129, H 0963, 2ND ENG/H 1459, CS/CS/2ND ENG/S 0140)

Utilities/Counties & Municipalities; (THIS BILL COMBINED IN CS/S140,998,1060) provides applicability of provisions re ownership & operation of utilities by entities composed of municipalities & counties; prescribes powers of counties & specified municipalities re acquisition of water & wastewater utilities by separate legal entities composed of municipalities & counties; provides for binding arbitration process under PSC to resolve certain disputes, etc. Amends 163.01. Effective Date: Upon becoming law.

03/17/03 SENATE CS combines this bill with SB 140 & SB 1060; CS by Comprehensive Planning; YEAS 7 NAYS 0 -SJ 00227; Original bill laid on Table, refer to combined CS/CS/SB 140 (Vetoed by Governor)

S 1060 GENERAL BILL by Constantine (Compare 2ND ENG/H 1459, CS/CS/2ND ENG/S 0140)

Intergovernmental Programs; (THIS BILL COMBINED IN CS/S140,998,1060) prohibits entity created under Interlocal Cooperation Act & consisting of municipalities & counties from owning & operating certain public facilities that serve populations outside territorial limits of entity members. Amends 163.01. Effective Date: Upon becoming law.

03/17/03 SENATE CS combines this bill with SB 140 & SB 998; CS by Comprehensive Planning; YEAS 7 NAYS 0 -SJ 00227; Original bill laid on Table, refer to combined CS/CS/SB 140 (Vetoed by Governor)

S 0334 **GENERAL BILL/CS by Communication and Public Utilities; Saunders Telecommunications Service/Elevators; prescribes rate for telecommunications service provided to certain elevators; provides penalties. Creates 364.108. Effective Date: 07/01/2003.
03/13/03 SENATE Now in Comprehensive Planning -SJ 00178
03/21/03 SENATE On Committee agenda-- Comprehensive Planning,

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**ASTERISK INDICATES LEAD BILL ON TIED BILLS

Senate Committee on Communication and Public Utilities (Continued)

S 0334 *(Continued)

03/21/03 SENATE 03/26/03, 11:15 am, 412-K --Temporarily postponed

05/02/03 SENATE Died in Committee on Comprehensive Planning

S 0438 **GENERAL BILL/CS/1ST ENG by Communication and Public Utilities;
Campbell; (CO-SPONSORS) Siplin; Cowin; Margolis; Miller; Posey
(Similar H 1211)

Commercial Electronic Messages; prohibits person from transmitting
commercial electronic mail message that uses third party's Internet
domain name without permission or message that contains false or
misleading information; provides damages & award for attorney's
fees & costs, & in lieu of actual damages, if provider so chooses,
greater of \$10 for each unsolicited commercial electronic mail
message transmitted or \$25,000 per day, etc. Effective Date:
07/01/2003.

04/28/03 SENATE CS passed as amended; YEAS 38 NAYS 0 -SJ 00662

04/28/03 HOUSE In Messages

05/02/03 HOUSE Died in Messages

H 1211 GENERAL BILL by Sobel; (CO-SPONSORS) Gannon (CS by Business
Regulation) (Similar CS/1ST ENG/S 0438)

Electronic Messages; defines "commercial electronic mail message,"
"electronic mail," "electronic mail service provider," "established
business relationship," & "unsolicited commercial electronic mail
message"; prohibits transmission of commercial electronic mail
messages under certain conditions; provides for civil relief &
damages. Creates 668.20,.21,.22. Effective Date: 07/01/2003.

04/09/03 HOUSE Pending review of CS under Rule 6.3(b)

04/10/03 HOUSE Now in Commerce -HJ 00334

05/02/03 HOUSE Died in Committee on Commerce

S 0654 **GENERAL BILL/CS/1ST ENG by Communication and Public Utilities;
Haridopolos (Similar H 1903, Compare H 0995, S 2052)

Telecommunications Companies; provides legislative finding that
provision of unregulated voice-over-internet protocol is in public
interest; changes term "alternative local exchange
telecommunications company" to "competitive local exchange
telecommunications company"; provides procedures for staying
election of local exchange telecommunications companies to be
subject to alternative regulations, etc. Amends FS. Effective
Date: 05/23/2003.

05/01/03 SENATE Ordered enrolled -SJ 01057

05/23/03 Signed by Officers and presented to Governor;

Approved by Governor; Chapter No. 2003-32

H 1903 GENERAL BILL by Business Regulation; (CO-SPONSORS) Mayfield; Ritter
(Similar CS/1ST ENG/S 0654, Compare H 0995, S 2052)

Telecommunications Companies; provides legislative finding that

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**ASTERISK INDICATES LEAD BILL ON TIED
BILLS

Senate Committee on Communication and Public Utilities (Continued)

H 1903 (Continued)

provision of unregulated voice-over-internet protocol is in public interest; changes term "alternative local exchange telecommunications company" to "competitive local exchange telecommunications company"; provides procedures for staying election of local exchange telecommunications companies to be subject to alternative regulations, etc. Amends FS. Effective Date: Upon becoming law.

05/01/03 HOUSE Placed on Special Order Calendar -HJ 00975;
Substituted CS/SB 654; Laid on Table,
Link/Iden/Sim/Compare passed, refer to CS/SB 654
(Ch. 2003-32) -HJ 00984

H 0995 GENERAL BILL by Attkisson (Similar S 2052, Compare H 1903, CS/1ST ENG/S 0654)

Telecommunications Service; amends provision re universal telecommunications service; extends period each local exchange telecommunications company is required to furnish basic local exchange telecommunications service to certain persons; extends transitional period for interim mechanisms for maintaining universal service objectives & funding carrier-of-last-resort obligations; extends period in which party may petition Fla. PSC for change of interim mechanism, etc. Amends 364.025. Effective Date: Upon becoming law.

03/18/03 HOUSE Recommendation: Favorable by Telecommunications (BR); YEAS 7 NAYS 0; Now in Business Regulation

05/02/03 HOUSE Died in Committee on Business Regulation,
Link/Iden/Sim/Compare passed, refer to CS/SB 654
(Ch. 2003-32)

S 2052 GENERAL BILL by Bennett (Similar H 0995, Compare H 1903, CS/1ST ENG/S 0654)

Telecommunications Services; extends transition period for implementation of interim mechanism for maintaining certain service objectives. Amends 364.025. Effective Date: 07/01/2003.

03/04/03 SENATE Filed

03/18/03 SENATE Introduced, referred to Communication and Public Utilities; Commerce, Economic Opportunities, and Consumer Services -SJ 00205

05/02/03 SENATE Died in Committee on Communication and Public Utilities, Link/Iden/Sim/Compare passed, refer to CS/SB 654 (Ch. 2003-32)

S 1450 **GENERAL BILL/CS/CS by Comprehensive Planning; Communication and Public Utilities; Bennett (Similar 1ST ENG/H 1307)

Emergency Communications; defines terms "active prepaid wireless telephone," "mobile telephone number," "prepaid wireless telephone service," & "sufficient positive balance" for purposes of wireless emergency communications; prescribes additional duties of board of

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**ASTERISK INDICATES LEAD BILL ON TIED
BILLS

Senate Committee on Communication and Public Utilities (Continued)

S 1450 **(Continued)

directors of Wireless 911 Board re 911 & E911 systems; provides schedules for government response to permit applications, etc. Amends 365.172,.173; creates 365.175. Effective Date: 07/01/2003. 04/30/03 SENATE Amendment(s) adopted -SJ 00824; Substituted HB 1307 -SJ 00824; Laid on Table, Link/Iden/Sim/Compare passed, refer to HB 1307 (Ch. 2003-182)

H 1307 GENERAL BILL/1ST ENG by Mayfield; (CO-SPONSORS) Murzin; Zapata (Similar CS/CS/S 1450)
Emergency Communications; defines terms "active prepaid wireless telephone," "mobile telephone number," "prepaid wireless telephone service," & "sufficient positive balance" for purposes of wireless emergency communications; revises authority of bd.; prescribes additional duties of bd. of directors of Wireless 911 Board re 911 & E911 systems; requires new private branch exchange telephone systems to have automatic location ID, etc. Amends 365.172,.173; creates 365.175. Effective Date: 07/01/2003.
05/01/03 HOUSE Ordered enrolled -HJ 01029
06/11/03 Signed by Officers and presented to Governor
06/23/03 Approved by Governor; Chapter No. 2003-182

S 2316 **GENERAL BILL/CS by Communication and Public Utilities; Atwater; (CO-SPONSORS) Siplin (Compare H 1005, H 1069, 1ST ENG/H 1363, 1ST ENG/H 1405, 2ND ENG/H 1459, CS/CS/1ST ENG/S 1312, CS/1ST ENG/S 2260, CS/S 2758)
Water Supplies; provides for development of water conservation guidance manual by DEP; provides for purpose & contents of manual & requirements with respect thereto; requires DEP to adopt manual by rule by specified date; requires public water supply utilities to develop water conservation programs based upon options contained in manual; authorizes DEP to grant variances from mining reclamation activities, etc. Amends Chs. 373, 403, 378.212,.404. Effective Date: Upon becoming law.
05/01/03 SENATE Placed on Special Order Calendar -SJ 00856
05/02/03 SENATE Placed on Special Order Calendar -SJ 01053; Died on Calendar, Link/Iden/Sim/Compare passed, refer to CS/SB 2260 (Ch. 2003-265)

H 1005 GENERAL BILL by Troutman; (CO-SPONSORS) Rivera; Spratt; Zapata (CS by Natural Resources) (Compare 2ND ENG/H 1459, CS/S 2316, CS/S 2758)
Water Resources; revises provisions re water reservations; provides for selection & duties of independent scientific peer review panel; authorizes water management districts to require use of uncommitted reclaimed water under certain circumstances & with certain limitations; requires that conclusions of reuse feasibility study be considered in analyzing feasibility of providing reclaimed water for reuse, etc. Amends 373.223,.250, 403.064. Effective Date: Upon

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**ASTERISK INDICATES LEAD BILL ON TIED
BILLS

Senate Committee on Communication and Public Utilities (Continued)

- H 1005 (Continued)
becoming law.
04/15/03 HOUSE Recommendation: Favorable with 1 amendment(s) by
Agriculture & Environment Appropriations (AP);
YEAS 11 NAYS 0
04/16/03 HOUSE Now in Appropriations
05/02/03 HOUSE Died in Committee on Appropriations
- H 1069 GENERAL BILL by Russell (CS by Natural Resources) (Similar
CS/S 2758, Compare 1ST ENG/H 1363, 1ST ENG/H 1405, 2ND ENG/H 1459,
S 0662, CS/CS/1ST ENG/S 1312, CS/S 2316)
Water Resources; requires local governments to include projected
water use in comprehensive plans; revises procedure for fixing &
changing rates to include recovery of costs of alternative water
supply facilities; provides for water conservation guidance manual;
provides for public workshop on development of regional water
supply plans that include consideration of population projections;
allows for limited transfer of water, etc. Amends FS. Effective
Date: Upon becoming law.
04/21/03 HOUSE Pending review of CS -under Rule 6.3(b)
04/25/03 HOUSE Placed on Calendar -HJ 00385
05/02/03 HOUSE Died on Calendar
- H 1363 GENERAL BILL/1ST ENG by Paul; (CO-SPONSORS) Bense (Similar
CS/CS/1ST ENG/S 1312, Compare H 0867, H 1069, H 1365, 2ND
ENG/H 1459, S 1722, CS/S 2316)
Phosphate Mining; revises distribution of excise tax on severance
of phosphate rock; sets tax rate for specified periods; revises
provisions re application of tax to total production of producer;
revises dates re calculation of base rate adjustment for phosphate
rock; sets minimum base-rate limit; requires DEP to study
cumulative impacts of changes in landform & hydrology in Peace
River Basin; creates "Environmental Good Samaritan Act", etc.
Amends FS. Appropriation: \$200,000. Effective Date: Upon becoming
law except as otherwise provided.
05/01/03 SENATE In Messages
05/02/03 SENATE Received, referred to Natural Resources;
Comprehensive Planning; Appropriations Subcommittee
on General Government; Appropriations; Rules and
Calendar -SJ 01157; Died in Committee on Natural
Resources
- H 1405 GENERAL BILL/1ST ENG by Machek; (CO-SPONSORS) Attkisson; Bullard;
Cantens; McInvale; Rubio (Similar CS/1ST ENG/S 2260, Compare
H 1069, CS/S 2316)
Water Policy; deletes provision requiring legislative approval to
abolish or combine basins existing within SWFWMD; authorizes basin
board boundaries within SWFWMD to be amended by governing board
resolution; revises criteria to be applied in determining priority
of water bodies under surface water & management plans & programs;
provides for transfer of land & other incidentals from St. Johns

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**ASTERISK INDICATES LEAD BILL ON TIED
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Senate Committee on Communication and Public Utilities (Continued)

H 1405 (Continued)

River Water Management Dist. to SWFWMD, etc. Amends Chs. 373, 403, 259.101. Effective Date: Upon becoming law except as otherwise provided.

04/30/03 HOUSE Ordered engrossed -HJ 00969

05/02/03 HOUSE Substituted CS/SB 2260; Laid on Table,
Link/Iden/Sim/Compare passed, refer to CS/SB 2260
(Ch. 2003-265) -HJ 01058

H 1459 GENERAL BILL/2ND ENG by Machek (Compare H 0113, H 0129, 1ST
ENG/H 0435, H 0963, H 1005, H 1069, 1ST ENG/H 1363, H 1769, H 1799,
CS/CS/2ND ENG/S 0140, S 0662, S 0998, S 1060, CS/2ND ENG/S 1164,
CS/CS/1ST ENG/S 1312, CS/S 2316, CS/S 2758)

Water Resources; provides for development of water conservation guidance manual by DEP; authorizes WMDs to require use of reclaimed water in lieu of surface or groundwater when use of uncommitted reclaimed water is environmentally, economically, & technically feasible; provides applicability of provisions re ownership & operation of utilities by entities composed of municipalities & counties, etc. Amends FS. Effective Date: Upon becoming law except as otherwise provided.

04/29/03 HOUSE Ordered engrossed -HJ 00799

05/01/03 HOUSE Temporarily postponed, on Third Reading -HJ 00998

05/02/03 HOUSE Died on Calendar

S 1312 GENERAL BILL/CS/CS/1ST ENG by Appropriations; Natural Resources; Alexander; (CO-SPONSORS) Dockery (Similar 1ST ENG/H 1363, Compare H 0867, H 1069, H 1365, 2ND ENG/H 1459, S 1722, CS/S 2316)

Phosphate Mining; amends tax on phosphate rock & provides for distribution of proceeds; directs DEP to amend master reclamation plan; creates not-for-profit partnership to assist in phosphate reclamation; provides authority for variance for certain reclamation activities; allows variances for water supply development; provides limited liability for entities assisting in abatement of imminent hazards; requires DEP to conduct study, etc. Amends Chs. 378, 403, 211.3103. Appropriation: \$1,000,000.

Effective Date: Upon becoming law.

04/30/03 SENATE CS passed as amended; YEAS 39 NAYS 0 -SJ 00816

04/30/03 HOUSE In Messages

05/02/03 HOUSE Died in Messages

S 2260 GENERAL BILL/CS/1ST ENG by Natural Resources; Dockery (Similar 1ST ENG/H 1405, Compare H 0407, CS/CS/1ST ENG/S 0554, CS/S 2316)

Water Policy; deletes provision requiring legislative approval to abolish or combine basins existing within SWFWMD; redefines term "interdistrict transfer & use"; revises legislative intent re Surface Water Improvement & Management Act; revises criteria to be applied in determining priority of water bodies under surface water improvement & management plans & programs; revises boundaries of St. Johns River & SWFWMD, etc. Amends Chs. 373, 403, 259.101.

Effective Date: 06/26/2003 except as otherwise provided.

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**ASTERISK INDICATES LEAD BILL ON TIED
BILLS

Senate Committee on Communication and Public Utilities (Continued)

- S 2260 (Continued)
05/02/03 SENATE Ordered enrolled -SJ 01163
06/26/03 Signed by Officers and presented to Governor;
Approved by Governor; Chapter No. 2003-265; See
also CS/CS/SB 554 (Ch. 2003-64)
- S 2758 GENERAL BILL/CS by Natural Resources; Dockery; (CO-SPONSORS) Siplin
(Similar H 1069, Compare H 1005, 2ND ENG/H 1459, S 0662, CS/S 2316)
Water Resources; requires local governments to include projected
water use in comprehensive plans; provides for recovery of costs of
alternative water supply facilities; revises limit on amount of
revenue received by utility to qualify for staff assistance in
changing rates or charges; provides for public workshop in
development of regional water supply plans; includes consideration
of population projections, etc. Amends Chs. 163, 367, 373, 403.
Effective Date: 07/01/2003.
05/01/03 SENATE Placed on Special Order Calendar -SJ 00856; Read
second time -SJ 00922
05/02/03 SENATE Died on Calendar
- S 2338 **GENERAL BILL/CS/1ST ENG by Communication and Public Utilities;
Peadar (Compare 1ST ENG/H 1123, H 1607)
Environmental Protection; adds hazardous waste, corrective action
permits to list of approvals; expands materials defined as
construction & demolition debris; provides additional definitions,
etc. Amends 403.087,.703,.722. Effective Date: 07/01/2003.
04/28/03 HOUSE Received, placed on Calendar -HJ 00717
04/30/03 HOUSE Placed on Special Order Calendar
05/02/03 HOUSE Died on Calendar, Link/Iden/Sim/Compare passed,
refer to HB 1123 (Ch. 2003-173)
- H 1123 GENERAL BILL/1ST ENG by Clarke; (CO-SPONSORS) Antone; M. Davis;
Kendrick; Spratt (Similar 1ST ENG/S 2726, S 2784, Compare H 1607,
CS/1ST ENG/S 2338)
Contaminated Site Rehabilitation; extends application of risk-based
corrective action principles to all contaminated sites resulting
from discharge of pollutants or hazardous substances; provides for
contamination cleanup criteria that incorporate risk-based
corrective action principles to be adopted by rule; clarifies who
may apply for tax credits & time period for use of tax credits,
etc. Amends Ch. 376, 199.1055, 220.1845, 403.087,.722. Effective
Date: 06/20/2003.
04/28/03 HOUSE Ordered enrolled -HJ 00704
06/09/03 Signed by Officers and presented to Governor
06/20/03 Approved by Governor; Chapter No. 2003-173
- H 1607 GENERAL BILL by Littlefield (CS by Natural Resources) (Compare 1ST
ENG/H 1123, CS/1ST ENG/S 2338)
Environmental Protection; exempts beneficial use of fossil fuel
combustion products from specified regulations; provides handling,

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**ASTERISK INDICATES LEAD BILL ON TIED
BILLS

Senate Committee on Communication and Public Utilities (Continued)

H 1607 (Continued)

processing, & storage criteria; defines terms "fossil fuel combustion products," "beneficial use," & "fossil fuel-fired electric & steam generating facility"; adds hazardous waste, corrective action permits to list of approvals, etc. Creates 403.7047; amends 403.087,.703,.722. Effective Date: 07/01/2003.

04/30/03 HOUSE Placed on Special Order Calendar; Temporarily postponed, on Second Reading -HJ 00814

05/02/03 HOUSE Died on Calendar, Link/Iden/Sim/Compare passed, refer to HB 1123 (Ch. 2003-173)